

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

In Re:

RECONDO LAVAR KING, and
CARRIE KING,

Debtors.

■
■ Chapter 13
■ Bankruptcy No. 17-10229-AEC
■
■
■
■

**RESPONSE OF THE UNITED STATES OF AMERICA
TO TRUSTEE'S OBJECTION TO AAFES' CLAIM No. 11**

COMES NOW the United States of America, on behalf of its agency, the Army and Air Force Exchange Service (herein after referred to as "AAFES"), by and through the undersigned United States Attorney for the Middle District of Georgia, and responds to Debtors' Objection to Claim No. 11. In support thereof, AAFES alleges:

1.

The Chapter 13 Trustee objects to AAFES claim, in the amount of \$8,304.10, designated as Claim No. 11, alleging that "the debtor's confirmed Chapter 13 plan does not contain a provision for treating this debt as secured. Therefore, this claim cannot be treated as secured for the purpose of distribution." Therefore, the Trustee requests that AAFES' claim be allowed as unsecured for distribution.

2.

The United States of America shows that, according to AAFES' record, the claim filed is correct – AAFES holds a PMSI in property, valued at \$619.94; the balance of the debt is listed as unsecured. However, as this plan has been confirmed, AAFES is bound by the confirmed plan.

3.

Consequently, AAFES is unable to oppose the Trustee's Objection.

WHEREFORE, for the reasons stated above, the United States respectfully requests that this Court grant such relief deemed appropriate should the parties otherwise not resolve this dispute.

Respectfully submitted, this 25th day of August 2017.

G.F. PETERMAN, III
UNITED STATES ATTORNEY

By: /s/ Barbara G. Parker

Barbara G. Parker
Assistant United States Attorney
Georgia Bar No. 561750

ADDRESS:

P.O. Box 1702
Macon, Georgia 31202-1702

[478] 752-3511

CERTIFICATE OF SERVICE

This is to certify that, this date, I have electronically filed the within and foregoing **RESPONSE OF THE UNITED STATES OF AMERICA TO TRUSTEE'S OBJECTION TO CLAIM OF AAFES, No. 11**, filed by and on behalf of the Army and Air Force Exchange Services, with the Clerk of the Court using the CM/ECF system. I also certify that Debtors' attorney of record and Trustee were served on this date by electronic means of the Court and Debtors via United States Mail with proper postage affixed thereto.

Kristin Hurst
Chapter 13 Trustee
P.O. Box 1907
Columbus, Georgia 31902-1907

Robert J. Pinnero
Attorney for Debtors
510-D W. Broad Avenue
Albany, Georgia 31702-1379

Recondo Lavar King, Debtor
Carrie King, Debtor
138 Buck Run Drive
Leesburg, Georgia 31763

This 25th day of August 2017.

G.F. PETERMAN, III
UNITED STATES ATTORNEY

/s/ Barbara G. Parker

By:

Barbara G. Parker
Assistant United States Attorney
Georgia Bar No.: 561750

ADDRESS:
P.O. Box 1702
Macon, Georgia 31202-1702
(478) 752-3511